

# Downtown Zoning Realignment

## Work Session



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Wichita Falls Planning & Zoning Commission

June 8, 2022



# Downtown Zoning Diagnostic: Freese & Nichols

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- Report outlines 14 recommendations, addressed through:
  - Zoning
  - Development Process
  - Economic Development
- Implementation Schedule: high, medium, low impact
  - ✓ Zoning realignment – *high impact*
  - ✓ Update CBD – *high impact*
  - ✓ Revise RDD regulations – *low impact*
  - ✓ Adopt Property Maintenance Code – *high impact*
  - Resolve parking issues in downtown area – *low impact*
  - Amend outdoor dining ordinance to reflect streetscape recommendations – *low impact*

# Downtown Strategic Plan: Progress to Date

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- Code Enforcement: zones realigned for improved service downtown
- TIF #4 board activated – increment allocation in 2020
- Downtown Improvement Grant (4B):
  - Increased funding level FY18-19 by \$50,000 to assist with sidewalk, curb/gutter, tree well repairs
  - Public Works assessed sidewalks for deficiencies; owners/tenant notified & utilizing program for improvements
- Downtown Property Maintenance Code (PMC) & Vacant Structure Registry (VSR):
  - Feb. 2021: council approves both PMC and VSR
  - Oct. 2021: ordinances became effective; applies to non-residential properties
- Parking Issues:
  - Lindemann Parking Garage Project and Arts Collaborative
- RAISE Grant:
  - Rebuilding American Infrastructure with Sustainability & Equity – DOT funds;
  - \$25M application to assist with downtown infrastructure improvements

# Downtown Zoning Realignment – Project Meetings

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- Dec. 9, 2021: Public Forum Project Launch for owners/tenants – MPEC

2022

- March 28: Area meeting #1 – River Development District-Downtown (RDD-D)
- March 31: Area meeting #2 – Central Business District (CBD)
- April 5: Area meeting #3 - Light Industrial-Downtown District (LI-D)
- April 6: Area meeting #4 – General Commercial-Downtown District (GC-D)
- April 21: Economic Development Corporation/4A Board Update
- June 7: City Council Project Updates
- *June 8: Planning & Zoning Commission Work Session*

# Proposed Revisions – Greater Downtown

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1. Special Downtown Zoning Category – 4 zones
2. Zoning District Boundary Realignment
3. Downtown Zoning Use Table
4. Development Standards – Reduce Setbacks
5. Non-Conforming Use - Time Limitation & Appeal Process
6. Incorporate Defined Uses Section for Downtown
7. Address Definition Updates:
  - Household Care Facility
  - Structured Sober Living Facility
8. Land Use Plan Amendment – Consolidate Categories



# Zoning Uses

- What is Zoning?

Division of a city into areas, or zones, which specify permitted and prohibited land uses for real property and size restrictions for buildings within these areas.

- Zoning Districts Downtown:

Existing Zones:

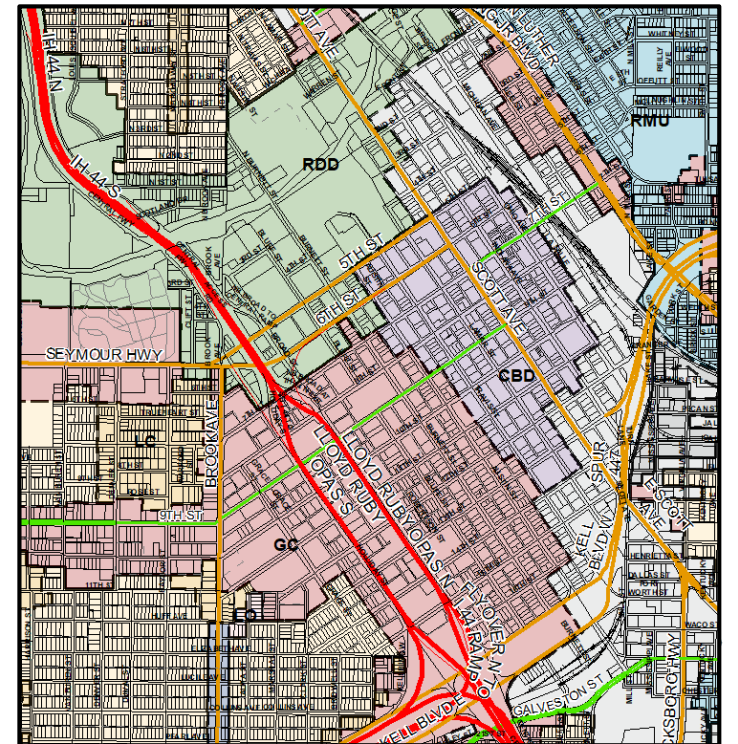
- Central Business District
- General Commercial
- River Development District
- Light Industrial

Proposed Zones:

- Central Business District
- General Commercial - Downtown
- River Development District - Downtown
- Light Industrial - Downtown

- What is a Zoning Boundary?

Limit and extent of each zoning district classification; generally depicted on a map.





# Existing Zoning Greater Downtown

## Overview:

### 4 zoning districts:

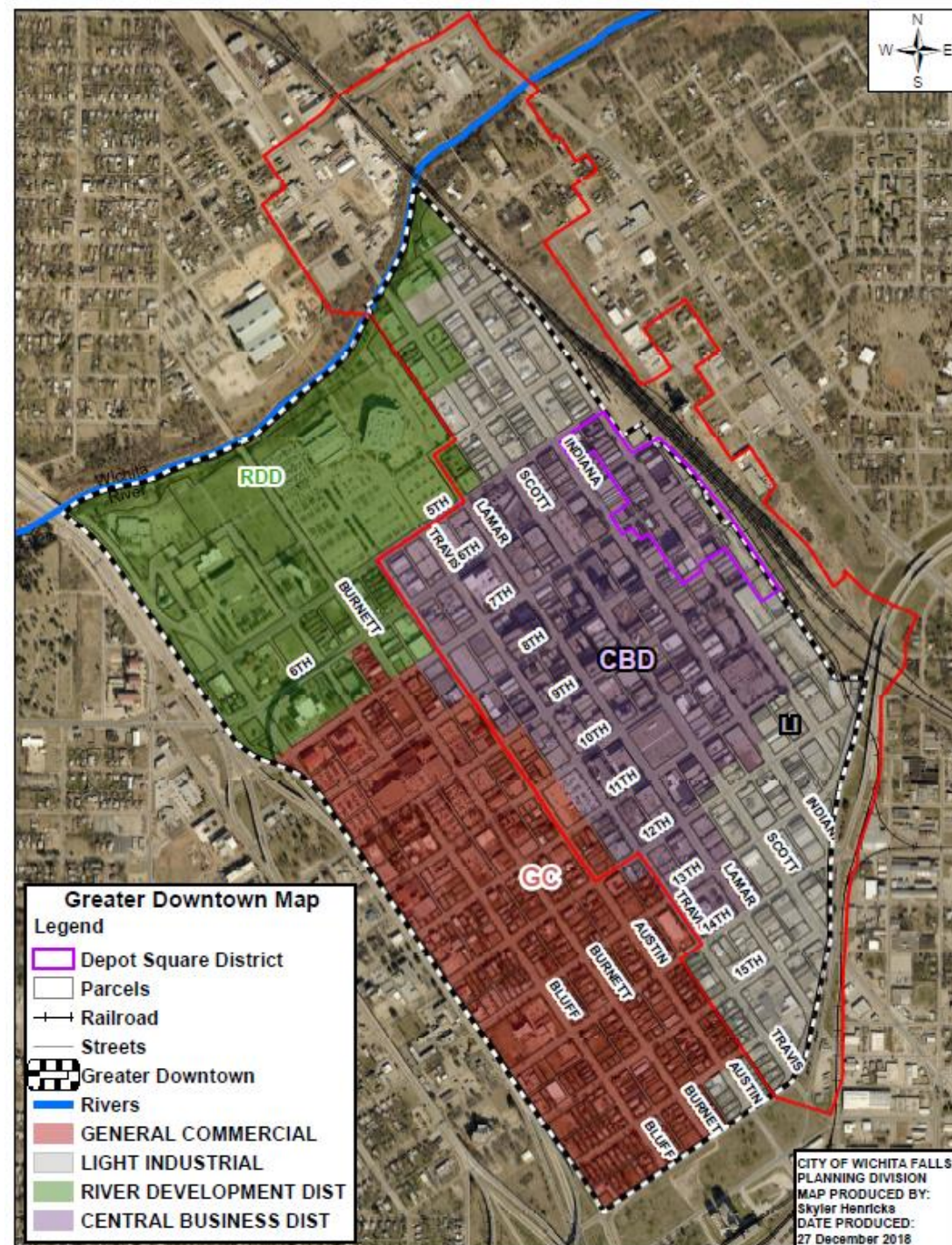
- RDD** – River Dev't District
- CBD** – Central Business District
- GC** – General Commercial
- LI** – Light Industrial

### 824 parcels:

- 67 - RDD parcels – 8.1%
- 259 - CBD parcels – 31.4%
- 341 - GC parcels – 41.4%
- 157 - LI parcels – 19.1%

### 1 Historic District (purple)

### 1 TIF Zone (red)





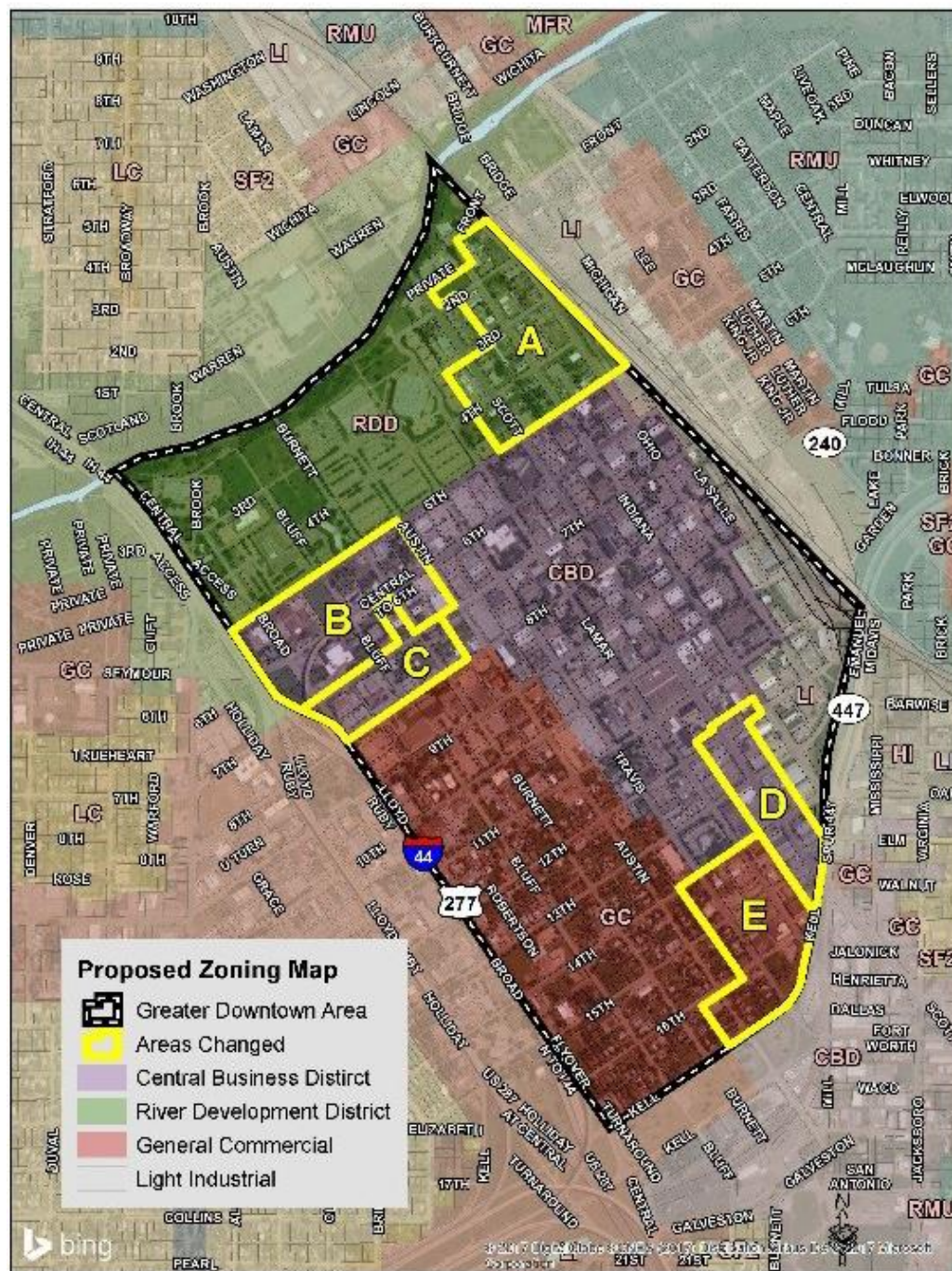
# Downtown Strategic Plan

## Recommendations from Freese & Nichols Diagnostic Report

Consider 5 rezone areas:

- A** – north/east section;  
LI change to RDD-D; 52 parcels
- B** – west section;  
RDD change to CBD; 37 parcels
- C** – west section;  
GC change to CBD; 24 parcels
- D** – south/central section;  
LI change to CBD; 27 parcels
- E** – south section;  
LI change to GC-D; 43 parcels

183 parcels identified for zone change  
(22% parcels downtown)





# Proposed Zoning Greater Downtown

Recommendations from  
Freese & Nichols Diagnostic Report

Overview:  
824 parcels

## 4 - Zoning Districts:

RDD-D – River Dev't District-Downtown

CBD – Central Business District

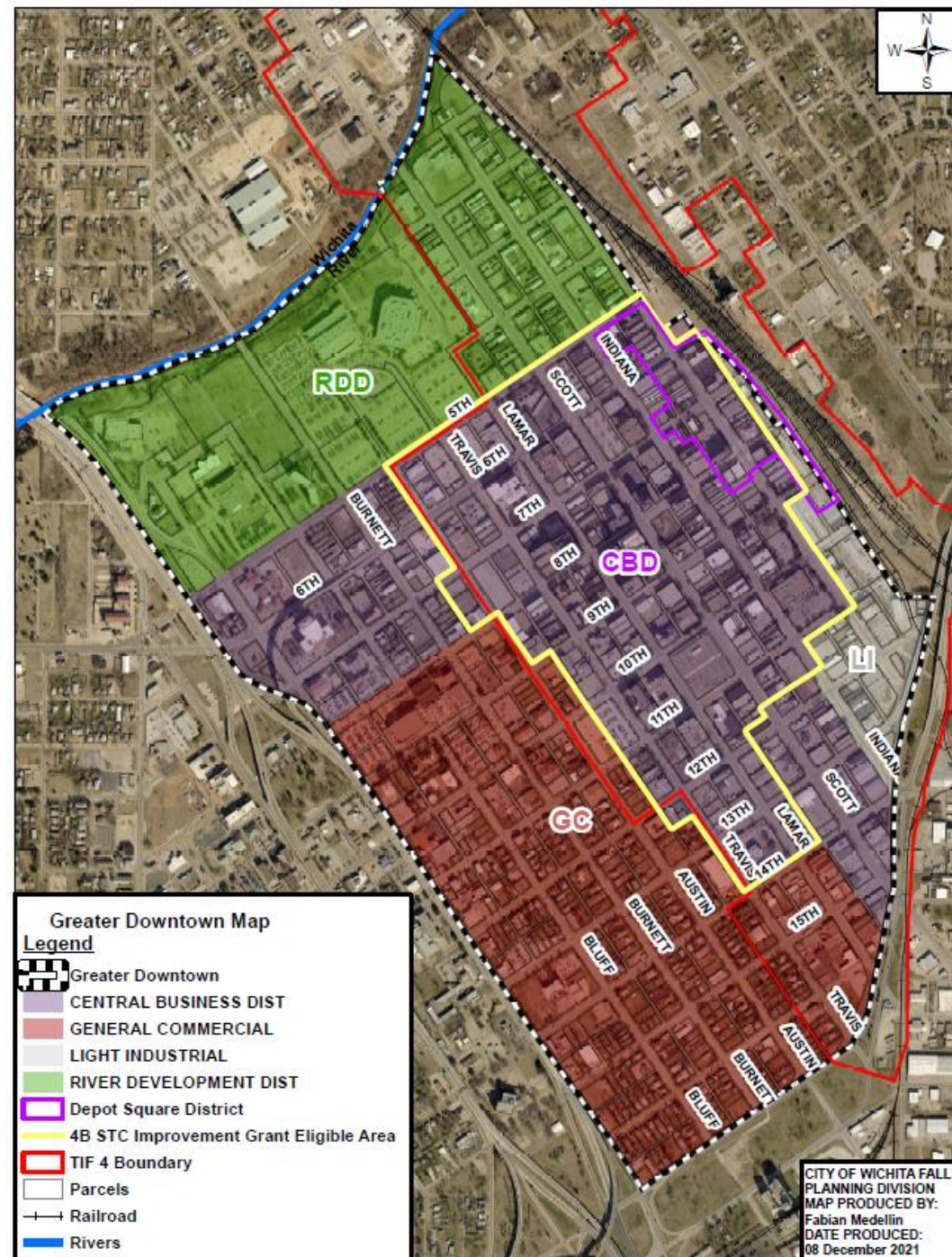
GC-D – General Commercial-Downtown

LI-D – Light Industrial-Downtown

1 – Depot Square Historic District (purple)

1 - TIF #4 Zone (red)

1 - 4B STC Improvement Zone (yellow)



# Downtown Zoning Use Table

- Listing of detailed land uses by zone & category based on:

1. Residential
2. Institutional-Governmental
3. Office
4. Services (Personal & Business)
5. Retail
6. Transportation & Auto Services
7. Amusement & Recreation
8. Commercial & Wholesale Trade
9. Light Assembly/Industrial
10. Mineral Extraction
11. Temporary Uses

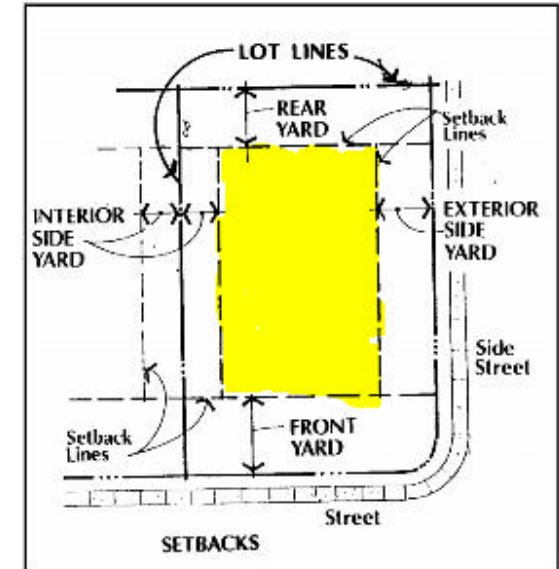
- Uses either: **P** - permitted; **C** – conditional; or not allowed
- Encourage mixed-use developments

## Retail

TYPES OF LAND USES		Greater Downtown Zoning Districts			
		CBD	GC-D	ROD-D	LI-D
<b>Retail</b>	Generally, the sale of goods and services from individuals or businesses to the end-user, whereby sales taxes are normally paid. A retailer purchases goods or products in large quantities from manufacturers directly or through a wholesale, and then sells smaller quantities to the consumer for a profit.				
Alcoholic Beverage Sales (Subject to Section 5400 Wichita Falls Zoning Ordinance)		P	P	P	P
Antique Shop (No Outside Sales or Storage)		P	P	P	
Antique Shop (With Outside Sales or Storage)		C	C		P
Apparel Shop		P	P	C	
Art Gallery/Museum/Dealer		P	P	P	
Artist Studio		P	P	P	P
Bakery - Retail (Eating Establishment, No Drive-Thru)		P	P	P	
Bakery - Retail (With Drive-Thru)		C	P	C	
Bakery (Wholesale)			C	C	P
Book/Stationery Shop (Retail Only)		P	P	P	P
Building Material Sales/Lumber Yard					C
Catering Service		C	P	P	P
Consignment Shop		P	P		
Convenience Store (No Gasoline Sales)		C	C	C	
Convenience Store (With Gasoline Sales)			C		P
Drinking Establishment/Bar - Licensed as a Private Club		C	P	C	P
Drinking Establishment/Bar < 50% food sales		C	C	C	
Eating Establishment/Restaurant (No Drive-Thru Service)		P	P	P	
Eating Establishment/Restaurant/Kiosk (With Drive-Thru Service)		P	P	P	
Eating Establishment with Micro-brewery (onsite mfg. and sales) > 50% food sales		C	C	P	
Electronic Goods (Retail Only)		C	P	C	C
Farmers Market		P			
Flea Market					

# Development Standards

- What are Development Standards ?  
Regulations that limit the size, bulk, or siting conditions of particular types of buildings or uses located within any designated district.
  - Elements related to:
    - Setbacks – front, interior side, exterior side, rear
    - Height
    - Building coverage – amount of lot area covered by buildings
- Setback Reductions:
  - CBD: Unchanged; already able to build to property line
  - GC-D: Front-15ft; Interior Side-0ft; Ext. Side-15ft; Rear-0ft
  - RDD-D: Front-10ft; Interior Side-0ft; Ext. Side-15ft; Rear-0ft; Building Coverage-No maximum
  - LI-D: Front-15ft; Interior Side-0ft; Ext. Side-15ft; Rear-0ft





# Non-Conforming Uses

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- What is a Non-Conforming Use?

A legal use which is not a permitted use in that zoning district and existed prior to enactment of zoning within the city but because of changes in zoning ordinance regulations, no longer complies with ordinance requirements

Examples include:

- Land use changes;
- Setback changes;
- Building height/lot coverage;
- Parking

- What if a Non-Conforming Use Closes?

- Use discontinues operation or remains vacant or unused for 2-years in Wichita Falls; non-conforming status terminates;
- Appeal option via Planning & Zoning Commission for conditional use permit (CUP) to consider continuance based on a case-by-case basis; provides forum for public input



# Non-Conforming Use – Downtown

- What's typical for compliance?

Researched 11 comparison cities

Results ranged from 3mo – 2years

Recommendation:

- 1-year expiration for non-conforming uses in Greater Downtown
- Appeal option available on a case-by-case basis via Planning & Zoning Commission

Comparison City	Expiration Date
Abilene	6 months
Beaumont	1 year
College Station	3 months
Denton	1 year
Edinburg	either 12 or 6 month consecutive*
Lewisville	3 months
McAllen	6 months consecutive
Odessa	6 months or 18 months in 3yr period
San Angelo	1 year
Tyler	6 months
Waco	2 years
<b>Wichita Falls</b>	<b>2 years</b>



# Definitions

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- Purpose of Definitions Section ?

From a land use perspective, definitions serve the following purpose:

- Simplify text in the ordinance;
- Establish precise meaning of a word or phrase, eliminates ambiguity;
- Transform technical terms into understandable, useable terminology

- What is Changing ?

Incorporating new definition section (Sec. 2100) addressing detailed list of uses proposed in Downtown Zoning Use Table;

Clarify terms to ensure compliance with federal case law and disability standards:

Terms for Removal:

- Adult Daycare Facility, Foster Care Facility, Group Homes, Halfway House, Personal Care Home and Residential Care Facility

Updated Terms:

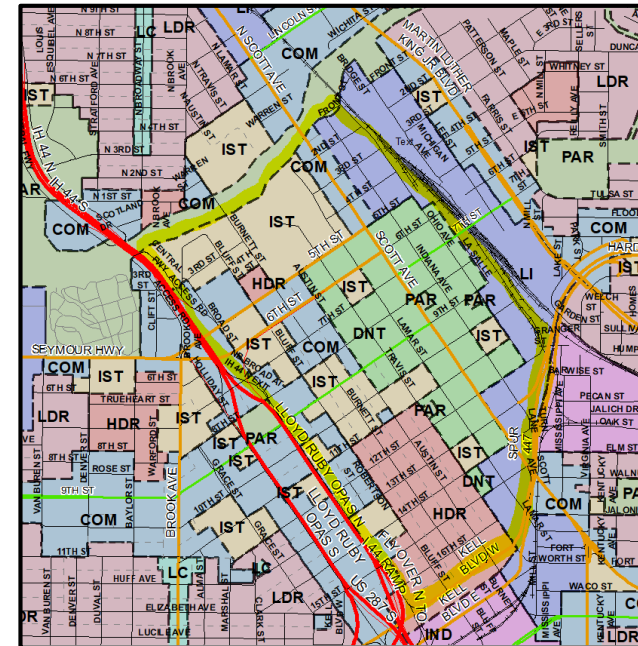
- Household Care Facility and Structured Sober Living Facility





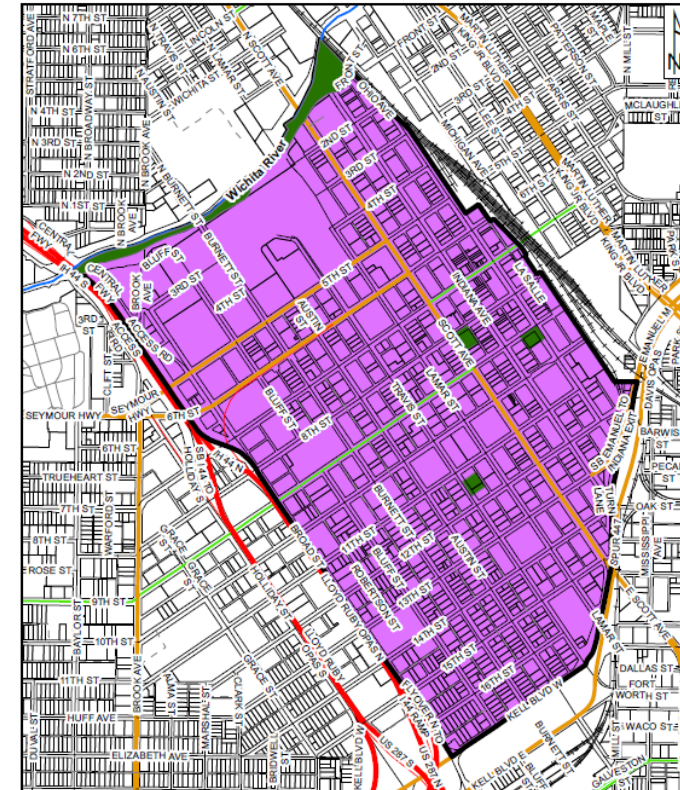
# Land Use Plan Amendment

- What is a Land Use Plan?
  - Basic element of city's comprehensive plan.
  - Land-use plan serves as a guide to official decisions regarding the distribution and intensity of private development, as well as public decisions on location of future public facilities/open spaces.
  - Designates future use or reuse of land within a municipality's planning area, and policies used to arrive at decisions in the plan.
- Existing Downtown Land Use Categories:
  - COM – Commercial
  - DNT – Downtown
  - HDR – High Density Residential
  - IND – Industrial
  - IST – Institutional
  - PAR – Parks & Open Space



# Land Use Plan Amendment

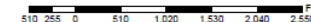
- Recommend Consolidation
- Proposed Land Use Categories:
  - DNT – Downtown
  - PAR – Parks & Open Space



Greater Downtown  
Land Use Boundary Amendment Map

The City of Wichita Falls has attempted to verify the accuracy of the information contained in the following map at the time of publication. The City of Wichita Falls assumes no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused. This product is for informational purposes and may not have been prepared for or to be relied upon for legal, engineering, or surveying purposes. No warranty is made as to the accuracy and/or appropriateness of the information, including the location of property boundaries.

**CITY OF WICHITA FALLS, PLANNING DIVISION**  
**MAP PRODUCED BY: Cedric Hu**  
**DATE PRODUCED: 23 May 2022**



# Next Steps: Projected Timeline

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*June 8: Planning and Zoning Commission - Work Session*

July 13: Planning and Zoning Commission - Ordinance Consideration

July 19: Council Update

Aug 16: Council - Ordinance Consideration



# Questions/Comments?

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